

PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/707,975	
	Filing Date	January 29, 2004	
	First Named Inventor	Itzhak Bentwich	
	Art Unit	1645	
	Examiner Name	Not yet assigned	
Total Number of Pages in This Submission	12	Attorney Docket Number	06087.0201.CPUS01

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input checked="" type="checkbox"/> CD, Number of CD(s) <u>3</u> <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Preliminary Amendment, Statement Pursuant to 37 CFR 1.821(a) and (b); Transmittal Sheet for Submission of Compact Disc Pursuant to 37 CFR 1.52(e) Statement Pursuant to 38 CFR 1.825(a) and (b), 3 copies of Computer-Readable format of Sequence Listing, and return-receipt postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Howrey LLP		
Signature			
Printed name	Teddy C. Scott, Jr., Ph.D.		
Date	June 8, 2005	Reg. No.	53,573

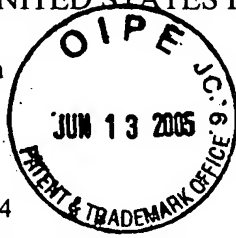
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Signature			
Typed or printed name	Teddy C. Scott, Jr., Ph.D.	Date	June 8, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Itzhak Bentwich  
App. No.: 10/707,975  
Conf. No.: 1974  
Filing Date: January 29, 2004  
Title: Bioinformatically Detectable Group of  
Novel Regulatory Genes and Uses  
Thereof  
Art Unit: 1645  
Examiner: Not yet assigned

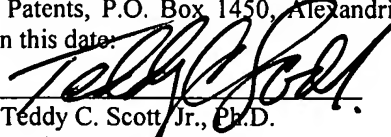


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06/08/2005

Date

  
Teddy C. Scott, Jr., Ph.D.  
Registration No. 53,573

**RESPONSE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Dear Sir:

In response to the Notification to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosure dated April 8, 2005, Applicant submits herewith the following:

- Replacement Sequence Listing under 37 C.F.R. §1.825(a), submitted on a compact disc (two copies of compact disc) under §1.52(e);
- Substitute copy of the Sequence Listing in computer readable form (§1.81(e)), (one copy of compact disc) submitted pursuant to §1.825(b);
- Statement Pursuant To 37 C.F.R. §1.825(a) and (b) (1 page);
- Transmittal Sheet For Submission Of Compact Disc Pursuant To 37 C.F.R. §1.52(e) (1 page);
- Copy of the Notification to Comply with Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures (2 pages);
- Preliminary Amendment (3 pages);
- Power of Attorney and Correspondence Address Indication Form (1 page);
- Statement under 37 CFR 3.73(b) and Assignment (3 pages);
- Transmittal Letter (1 page); and
- Return receipt postcard.

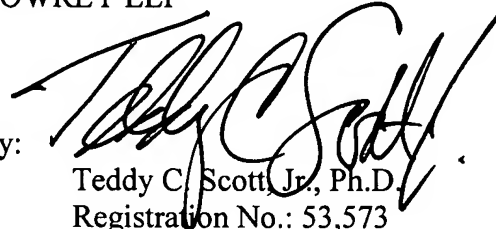
No additional fees are believed to be due in connection with the filing of this Response. However, should any additional fees be deemed necessary for any reason relating to this document, the Commissioner is hereby authorized to deduct the fees from Howrey Simon Arnold & White, LLP Deposit No. 08-3038, referencing the above-identified attorney docket number.

Respectfully submitted,

HOWREY LLP

Dated: June 8, 2005

By:



Teddy C. Scott, Jr., Ph.D.  
Registration No.: 53,573  
Customer No.: 22930

HOWREY LLP  
321 N. Clark Street, Suite 3400  
Chicago, IL 60661  
(312) 595-1239 (main)  
(312) 846-5621 (direct)  
(312) 595-2250 (fax)



*SPW*

PTO/SB/21 (09-04)

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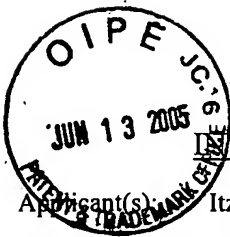
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Firm Name	Howrey LLP		
Signature			
Printed name	Teddy C. Scott, Jr., Ph.D.		
Date	June 8, 2005	Reg. No.	53,573

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Typed or printed name	Teddy C. Scott, Jr., Ph.D.	Date	June 8, 2005

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**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Itzhak Bentwich  
App. No.: 10/707,975  
Conf. No.: 1974  
Filing Date: January 29, 2004  
Title: Bioinformatically Detectable Group of  
Novel Regulatory Genes and Uses  
Thereof  
Art Unit: 1645  
Examiner: Not yet assigned

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06/08/2005

Date

  
Teddy C. Scott, Jr., Ph.D.  
Registration No. 53,573**TRANSMITTAL SHEET FOR SUBMISSION OF  
COMPACT DISC PURSUANT TO 37 C.F.R. §1.52(e)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith is two copies of a compact disc (MS-Windows format) containing a replacement Sequence Listing submitted under 37 C.F.R. §1.825(a). The contents of the compact disc are as follows:

File Name	Size	Date of File
Sequence Listing.txt	96,768	May 26, 2005

Pursuant to 37 C.F.R. §1.52(e)(4)(c), I hereby state that the two copies of the compact disc are identical.

Respectfully submitted,

HOWREY LLP

Dated: June 8, 2005

By:

  
Teddy C. Scott, Jr., Ph.D.  
Registration No.: 53,573  
Customer No.: 22930

HOWREY LLP  
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Chicago, IL 60661  
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(312) 595-2250 (fax)

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/707,975	01/29/2004	Itzhak Bentwich	05-0007#15/cat

CONFIRMATION NO. 1974

## FORMALITIES LETTER



\*OC000000015691473\*

37808  
 ROSETTA-GENOMICS  
 10 PLAUT-STREET SCIENCE PARK  
 P.O. BOX 2061  
 REHOVOT, 76706  
 ISRAEL

Date Mailed: 04/08/2005

# NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

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For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

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*Ahmad*

Office of Initial Patent Examination (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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